

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**LARRY GEORGE,**

**Petitioner,**

**-v-**

**Case No. 05-C-699**

**JUDY SMITH, Warden,**

**Respondent.**

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**DECISION AND ORDER**

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The *pro se* petitioner, Larry George (“George”), filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Court, in its Order of October 13, 2005, held that none of George’s claims were cognizable under § 2254. The Court decided, though, to give George the opportunity to amend his complaint and proceed under 42 U.S.C. § 1983 by November 15, 2005. George has not filed any pleading by the November 15, 2005 deadline. Accordingly, George’s case is dismissed without prejudice.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY  
ORDERED THAT**

Larry George's Petition for a Writ of Habeas Corpus (Docket #1) is  
**DISMISSED** without prejudice.

The clerk is directed to enter judgment and close this case accordingly.

Dated at Milwaukee, Wisconsin, this 17th day of November, 2005.

**SO ORDERED,**

s/ Rudolph T. Randa  
**HON. RUDOLPH T. RANDA**  
Chief Judge